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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,239	08/29/2001	Elliot L. Klosterman	10004283-1	9384

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EXAMINER

DULANEY, BENJAMIN O

ART UNIT	PAPER NUMBER
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2625

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/943,239

Applicant(s)

KLOSTERMAN ET AL.

Examiner

Benjamin O. Dulaney

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 5-16 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 5-16 and 18-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 12/30/06 have been fully considered but they are not persuasive.

Regarding applicant's argument for claim 1, that Howard does not teach receiving a call from the printer driver indicating that a print job is initiated, and determining whether any of said add-on modules are responsive to said call, Examiner disagrees. Examiner reads the passage in Howard "the host system and the printer operate to execute applications and instructions" (Column 9, lines 46-47) as a print job has been initiated. Howard goes on to state that while a printing operation has begun "the printer driver in step 90 searches for the add-on identifier key in the registry" (Column 9, lines 47-48). This certainly equates to a determination of any "responsive" add-on modules, as "responsive" could simply mean that a valid add-on for that particular device is identified. Therefore Howard reads upon the disputed features of claim 1.

Regarding applicant's argument for claims 7 and 8, that Howard does not teach inserting data or a command into the print stream, Examiner disagrees. A well-known "transit" stop between the software application and the printing device is the device driver. Since Howard defines the device driver to search for add-ons, which in turn modify the default template for a device, the print stream is altered and new options associated with the device become available.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

- 1) Claims 1, 5-16 and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. patent 6,823,526 by Howard et al.
- 2) Regarding claims 1 and 16, Howard teaches a method for processing a print stream through a printer driver, comprising: providing an interface module that interfaces with the printer driver (Column 4, lines 52-55; Column 7, lines 41-50); registering at least one add-on module with said interface module (Column 5, lines 13-16), said registering comprising receiving property information at said interface module from each said add-on module and storing said property information (Column 5, lines 13-16; Column 5, line 64 – Column 6, line 3); receiving a call from the printer driver indicating that a print job is initiated (Column 8, lines 60-63); determining whether any of said add-on modules are responsive to said call; and in response to determining that at least one add-on module is responsive, connecting said at least one responsive add-on module to the printer driver via said interface module (Column 6, lines 17-35).

Art Unit: 2625

3) Regarding claim 5, Howard teaches the method of claim 1, wherein said at least one responsive add-on module is adapted to modify a user interface generated by the printer driver (Column 6, lines 4-16).

Several of the listed add-on examples are options to the user obviously selectable before printing. Therefore the add-ons must be modifying a "user interface" if a user is determining whether or not they want each add-on to take effect.

4) Regarding claims 6 and 18, Howard teaches the method of claim 1, wherein the print stream comprises at least one access point, further comprising: receiving a call from the printer driver indicating that an access point has been reached; determining whether any of said add-on modules are responsive to said call; and in response to determining that at least one add-on module is responsive, sequentially connecting said at least one responsive add-on module to the printer driver via said interface module (Column 6, lines 17-35).

If Howard teaches that add-ons are affecting the output of a printer driver (as has already been shown in this office action) then Howard also teaches access points as defined by the applicant as where "modules may add data to the print stream" (applicant's abstract).

5) Regarding claim 7, Howard teaches the method of claim 6, wherein said at least one responsive add-on module inserts data into the print stream at said access point (Column 6, lines 17-35).

Art Unit: 2625

6) Regarding claim 8, Howard teaches the method of claim 6, wherein said at least one responsive add-on module inserts a command into the print stream at said access point (Column 6, lines 17-35).

7) Regarding claim 9, Howard teaches the method of claim 6, wherein said at least one responsive add-on module transmits a command to the printer driver (Column 6, lines 17-35).

8) Regarding claim 10, Howard teaches the method of claim 6, wherein said at least one access point is selected from the group consisting of a document start, a document end, a physical page start, a physical page end, a logical page start, and a logical page end (Column 6, lines 17-35; Column 6, lines 10-11).

It would be reasonable to assume that a duplex printing add-on would insert data at the beginning/end of pages.

9) Regarding claim 11, Howard teaches the method of claim 6, wherein said at least one access point is dynamically selectable (Column 6, lines 17-35).

An access point is dynamically selectable so far as what add-on's the user selects to implement.

10) Regarding claims 12 and 19, Howard teaches the method of claim 1, wherein the printer driver has at least one setting and the method further comprising: querying the printer driver from at least one said add-on module about at least one said setting, and receiving information from the printer driver in response to said querying (Column 5, lines 13-16).

11) Regarding claim 13, Howard teaches The method of claim 12, wherein at least one said add-on module comprises at least one setting, further comprising changing a setting in at least one said add-on module in response to said received information (Column 5, lines 4-35).

Changing a setting could be a user deciding against using a particular add-on, which is registered to that particular driver.

12) Regarding claims 14 and 20, Howard teaches the method of claim 1, wherein the printer driver has at least one setting, further comprising changing at least one said setting of the printer driver through said interface module under the control of at least one said add-on module (Column 5, lines 4-35).

The purpose of the add-ons is to change regular settings in the print driver and modify the print stream, several of the example add-ons in Howard as described must be changing a setting.

13) Regarding claim 15, Howard teaches the method of claim 1, further comprising providing at least one additional printer driver and a corresponding additional interface module for each additional printer driver, wherein at least one add-on module is registered with a plurality of said interface modules (Column 5, line 64 – Column 6, line 3).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in

the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin O. Dulaney whose telephone number is (571) 272-2874. The examiner can normally be reached on Monday - Friday (9am - 6pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Lamb can be reached on (571)272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Benjamin
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Twylor Lamb
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SUPERVISORY PATENT EXAMINER